

quish all right to any further amount of bonds or further subsidy, for or on account of said road; *and provided further*, that said International Railroad shall finish and complete the said railroad to the full extent of its line within the time prescribed by the original charter, and this act shall be a full and final settlement of all matters between the State of Texas and said corporation as to any subsidy granted by the original charter; and on failure so to finish and complete said road, the said corporation shall forfeit all claim and right to its charter and to all rights under said charter."

Senator Finlay proposed to substitute the amendment by the following: Amend by adding at the end of the first section the following: "*Provided*, that in no event shall bonds be issued to the International Railroad Company, under the act of August 5, 1870, except on the line between Jefferson and San Antonio."

On motion of Senator Latimer the Senate adjourned to 9 o'clock A. M. to-morrow, pending Senator Finlay's substitute for Senator Word's amendment.

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SENATE CHAMBER,  
AUSTIN, TEXAS, May 28, 1873.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the Rev. J. R. Welmeth.

On motion of Senator Gaines the reading of the journal of yesterday was dispensed with.

The following communication from his Excellency the Governor was taken from the President's desk and read:

EXECUTIVE OFFICE, STATE OF TEXAS,  
AUSTIN, May 27, 1873.

*To the Honorable Senate and House of Representatives  
of the State of Texas:*

GENTLEMEN: In view of the probable early adjournment of the Legislature, and because, as I understand from members of the special committee of both houses to examine Treasurer's and Comptroller's offices, the limited time which they could devote to their committee duties has not permitted them to thoroughly complete the examination of the matters entrusted to them, in conformity with my message of fifth of March last, I have to suggest

that said committee be authorized to sit and continue their examination of those matters after the adjournment of the Legislature, with permission to file in the State Department the result of their investigations for such public use as the courts or Legislature may find advisable hereafter.

Of course this suggestion, if accepted by the houses, is not intended to preclude the making of any report of their proceedings which the committee may find it in their power to present at the actual session of the Legislature.

Very respectfully,

EDMUND J. DAVIS, Governor.

Senator Latimer, chairman of the Committee on Enrolled Bills, submitted the following reports :

*Hon. E. B. Pickett, President of the Senate :*

SIR: Your Committee on Enrolled Bills have carefully examined and compared the following Senate bills, to-wit: No. 235, "An act for the relief of the heirs and assigns of Joseph Percival, deceased;" No. 240½, "An act to incorporate the Burleson Male and Female Academy in Bastrop county;" and No. 248, "An act to empower the Commissioner of the General Land Office to issue to Willett Holmes a headright certificate of one league and one labor of land;" and find the same correctly enrolled.

H. R. LATIMER, Chairman.

*Hon. E. B. Pickett, President of the Senate :*

SIR: Your Committee on Enrolled Bills this day, at 1 o'clock P.M., presented to His Excellency, the Governor, for his signature and approval, Senate joint resolution No. 43, authorizing the accountants employed by the joint committee appointed by the Legislature to investigate the Treasurer's and Comptroller's offices of this State, to write up and properly balance and adjust the books of the late State Treasurer, Geo. W. Honey, to twenty-seventh of May, 1872, and to perform other duties herein specified, also prescribing the duties of the Comptroller in connection therewith.

H. R. LATIMER, Chairman.

Senator Shelley introduced a joint resolution granting leave of absence from the State to the Hon. Moses B. Walker, Judge of the Supreme Court, from the adjournment of the present session of the Supreme Court until the assembling of the next term of the same.

The resolution was read first time; rules suspended, read second time and ordered engrossed; rules further suspended, read third time and passed.

Senator Dillard in the chair.

Senator Finlay introduced a joint resolution "For the relief of Mrs. Belle Murray." The resolution was read first time; rules suspended, read second time.

Senator Finlay offered the following amendment, viz: "And that Mrs. Belle Murray be and is authorized to receive from the State any moneys heretofore due J. H. Murray as salary as assistant doorkeeper." Adopted.

The resolution as amended was then ordered engrossed; rules further suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Ford, Finlay, Fountain, Franks, Gaines, Hall, Henry, King, Pyle, Randle, Sayers, Shelley, Swift, Tracy and Word—20.

Senator Franks introduced a bill to be entitled "An act supplemental to an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties, approved August 13, 1870." Read first time and not referred.

Senator Tracy introduced a bill to be entitled "An act authorizing the Commissioner of the General Land Office to issue patents for location made upon any of the unappropriated public domain by virtue of certificates therein named."

The following petition was taken from the President's desk, read and passed to order of the day.

*Hon. E. B. Pickett, President of the Senate:*

SIR: Your petitioner Wm. Chambers, Judge of the First Judicial District, hereby solemnly protests against any action against himself be taken now by the honorable Senate, for the following reasons, to-wit:

Because the only testimony against this petitioner that was before the examining committee, charging this petitioner with criminality, was the testimony of Robert H. Leonard and James B. Simpson, who are my accusers; and as your petitioner is informed and believes that their written statements, used as testimony before the committee, were prepared outside of the committee room, and were received without cross-examination, either by the committee or by petitioner, and that the principal witness

in the case, Robert H. Leonard, left Austin in a few minutes after he had signed said statement. Petitioner farther says, that he was refused the poor privilege of examining the testimony or statements of said Leonard and Simpson; and further charges, that not a single witness from the five counties composing the First Judicial District has been before the investigating committee to corroborate the charges made by my accusers. Petitioner further prays, that for his protection as a citizen and as a judge, your honorable body will take such action as will preserve all the written statements or evidence that was before said committee; for this petitioner alleges, that it is false, slanderous and malicious in every statement whereby he is charged with criminality.

WM. CHAMBERS.

Senator Sayers was granted an indefinite leave of absence from next Tuesday.

The following communication was taken from the President's desk and read:

AUSTIN, TEXAS, May 28, 1873.

*President of the Senate:*

The ladies of the Baptist Church festival respectfully inform the Senate that a nice lunch, consisting of coffee, ice cream, etc., etc., will be set in the basement of the Capitol from 11 o'clock A. M. to 12 o'clock to-day, for the benefit of Senators.

Senator Saylor presented a petition for the relief of James E. Slater. Read and referred to the following select committee: Senators Ball, Evans and Gaines.

Senator Swift submitted the following report:

*Hon. E. B. Pickett, President of the Senate:*

SIR: Your special committee of three, to whom was referred Senate bill No. 373, "An act to provide for the improvement of the navigation of the Trinity river, and to grant the aid of the State therefor," having carefully considered the same, instruct me to report the same back and recommend its passage.

W. H. SWIFT, Chairman.

The following House bills were taken from the President's desk, read and referred to the committees indicated:

No. 942, "An act to prohibit the sale of liquor within three miles of Pecan Grove Male and Female Academy, in Hill county."

No. 953, "An act for the relief of Alfred S. Thurmond." Laid on the table for the present.

No. 905, "An act to incorporate the Greenville, Bonham and Oklahoma Railroad Company." Laid on the table for the present.

No. 963, "An act providing for an election of officers for the town of Cameron." Laid on the table for the present.

No. 941, "An act to appropriate five hundred and three dollars to pay second class certificate No. 2886 of the public debt of the Republic of Texas, issued to John Cunningham, September 1, 1851." Laid on the table for the present.

No. 759, "An act to authorize and require the Adjutant General to pay out certain funds heretofore appropriated for the frontier force of the State." Laid on the table for the present.

No. 897, "An act to authorize C. H. Randolph, W. A. Pitts and J. O. Johnson to compile an abstract of titled and patented lands." Laid on the table for the present.

No. 837, "An act to incorporate the San Marcos, Guadalupe and Galveston Canal Company." Laid on the table for the present.

No. 937, "An act supplemental and amendatory of an act to provide for prompt settlement of accounts by sheriffs with the State and counties, approved April 28, 1873." Referred to Finance Committee.

No. 890, "An act granting the right of way to the United States of America for the construction of a coast-wise canal along the coast of Texas through the inland waters and mainland thereof." Referred to Committee on Internal Improvements.

No. 939, "An act to amend article seven hundred and two of an act to establish a code of criminal procedure for the State of Texas, approved August 26, 1856." Referred to Judiciary Committee No. 1.

No. 778, "An act to regulate the fees to be charged by the Commissioner of the General Land Office." Referred to Committee on Public Lands.

No. 950, "An act concerning judicial advertisements in Comanche county." Referred to Judiciary Committee No. 2.

No. 944, "Joint resolution requiring county courts to make settlements with sheriffs and treasurers of school boards." Referred to Judiciary Committee No. 1.

No. 949, "An act to secure uniformity of courses and measurement of lines by surveyors." Referred to Committee on Public Lands, with instructions to report to-morrow morning.

No. 637, "An act to authorize the County Court of Victoria county to levy a special tax to repair court house and jail." Referred to Finance Committee.

No. 487, "An act to provide for the construction and repairing of court houses and jails by the several counties of the State." Referred to Judiciary Committee No. 2.

No. 946, "An act making valid the registration of certain deeds and other instruments of writing." Referred to Judiciary Committee No. 1.

No. 668, "An act amendatory of and supplemental to an act to incorporate the Galveston and Eastern Texas Railroad Company, approved December 1, 1871." Referred to Committee on Internal Improvements.

No. 948, "An act to amend an act to incorporate the town of Pilot Point, passed October 8, 1866." Referred to Committee on State Affairs.

No. 925, "An act to authorize the issuance of land certificates to the heirs of those who were killed in the Dawson massacre, in 1842." Referred to Committee on Private Land Claims.

No. 947, "An act to locate the county seat of Trinity county." Laid on the table for the present.

The hour having arrived for the consideration of the special order, viz., House bill No. 453, "An act regulating taxation,"

Senator Tracy moved to postpone the same to take up House bill No. 712, "An act granting lands to the International Railroad." Lost by the following vote:

Yeas—Senators Baker, Ford, Fountain, Franks, Gaines, Hall, King, Pyle, Randle, Saylor and Tracy—11.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Henry, Latimer, Rawson, Sayers, Shelley, Swift, Tendick, Word and Mr. President—15.

The bill regulating taxation was then taken up, together with the report of the Committee on Finance recommending amendments. The bill was read second time.

On motion of Senator Shelley the amendments reported by the committee were considered *seriatim*.

The first and second amendments were adopted.

Senator Dohoney moved to amend the third amendment

reported by the committee by striking out "three hundred dollars," and inserting the words "five hundred dollars." Lost by the following vote:

Yeas—Senators Avinger, Baker, Ball, Dohoney, Evans, Franks, Gaines, Hall and Latimer—9.

Nays—Senators Cole, Dillard, Ford, Finlay, Fountain, Henry, King, Pyle, Rawson, Randle, Ruby, Sayers, Shelley, Swift, Tendick, Tracy and Word—17.

The question recurring on the adoption of the third amendment reported by the committee, the same was put and adopted.

The fourth and fifth amendments were then adopted.

Senator Franks proposed to amend section three, lines eighteen and nineteen, by striking out the words "except upon the prescription of some practicing physician." Adopted.

Senator Tracy proposed to amend, on page seven, by striking out all from the word "from," in line one hundred and thirty-nine, to the word "county," in line one hundred and forty-two. Adopted by the following vote:

Yeas—Senators Avinger, Baker, Ball, Dohoney, Evans, Ford, Finlay, Fountain, Gaines, Hall, Latimer, Pyle, Rawson, Randle, Saylor, Tendick and Tracy—17.

Nays—Senators Cole, Dillard, Franks, Henry, King, Sayers, Shelley and Word—8.

Senator Dohoney proposed to amend section . . . , line eighty-four, by striking out the word "one," and inserting "five." Lost.

Senator Ruby proposed to amend section three, line two hundred and sixteen, on page nine, by striking out the words "five hundred," and inserting "fifty."

Senator Fountain proposed to amend the amendment offered by Senator Ruby by striking out "fifty," and inserting "ten." Adopted.

The amendment as amended was then adopted.

Senator Avinger proposed to amend by striking out, in lines nine and ten, on page three "one hundred and fifty," and inserting "fifty." Adopted by the following vote:

Yeas—Senators Avinger, Cole, Ford, Finlay, Fountain, Hall, Henry, King, Pyle, Rawson, Randle, Saylor, Swift and Word—14.

Nays—Senators Baker, Dillard, Dohoney, Evans, Gaines, Latimer, Sayers, Shelley and Tracy—9.

Senator Pyle moved to reconsider the vote just taken. Carried.

The amendment was then adopted by the following vote:

Yeas—Senators Avinger, Ball, Dohoney, Ford, Finlay, Fountain Hall, Henry, King, Rawson, Randle, Ruby, Swift, Tendick and Word—14.

Nays—Senators Baker, Cole, Dillard, Evans, Gaines, Latimer, Saylor, Sayers, Shelley, and Tracy—10.

Senator Finlay proposed to amend third section, lines eighty-four and eighty-five, by striking out the words, "for every distillery, one hundred and fifty dollars; for every brewery fifty dollars."

Senator Tracy moved the previous question. Carried by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Evans, Finlay, Hall, Latimer, Rawson, Randle, Saylor, Sayers, Shelley, Tracy and Word—16.

Nays—Senators Dohoney, Ford, Fountain, Franks, Gaines, Henry, King, Ruby, Swift and Tendick—10.

The main question, viz., the adoption of Senator Finlay's amendment, was then put and adopted by the following vote:

Yeas—Senators Ball, Evans, Ford, Finlay, Fountain, Franks, Hall, Henry, King, Pyle, Rawson, Ruby, Saylor, Tendick, Tracy and Word—16.

Nays—Senators Avinger, Baker, Cole, Dillard, Dohoney, Gaines, Latimer, Randle, Sayers, Shelley and Swift—11.

The bill as amended was then passed to a third reading.

On motion of Senator Shelley, the rules were suspended and the bill read third time.

Senator Ford then proposed to amend section three, line twenty-four, by inserting after the word "dollars," the following: "From every skating rink used for profit, ten dollars." Adopted.

The question being on the final passage of the bill, the same was put and adopted by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Evans, Ford, Finlay, Franks, Gaines, Hall, Henry, King, Latimer, Pyle, Rawson, Randle, Saylor, Sayers, Shelley, Swift, Word and Mr. President—24.

Nays—Senators Ruby, Tendick and Tracy—3.

Senator King offered the following resolution, which was adopted:

*Resolved*, That one hundred copies of the evidence in the investigation of charges against T. C. Barden, Judge of the Sixteenth Judicial District, be published for the use of the Senate.

Senator King, chairman of the Committee on Engrossed Bills, submitted the following report :

*Hon. E. B. Pickett, President of the Senate :*

SIR : Your Committee on Engrossed Bills ask leave to report that they have examined and find correctly engrossed :

Senate bill No. 362, "An act to authorize the lessees of the State penitentiary to delay the payment of certain amounts of money to become due the State until the expiration of their lease."

Senate bill No. 352, "An act amendatory of an act to amend an act entitled an act prescribing the times of holding the district courts in the several judicial districts in the State."

Senate bill No. . . . ., "An act to amend section ten of an act entitled an act prescribing the times of holding the district courts in the several judicial districts in the State."

HENRY C. KING, Chairman.

Unfinished business, viz., House bill No. 712, "An act granting lands to the International Railroad," was taken up, pending a substitute offered by Senator Finlay for an amendment offered by Senator Word.

On motion of Senator Pickett, the Senate adjourned to 4 o'clock P. M.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment Roll called; quorum present.

A message was received from the House informing the Senate that the House had passed the following bills:

Senate bill No. 266, "An act for the relief of the heirs of Augustus W. Shipley."

House bill No. 640, "An act to incorporate the Orange, Jasper and Shelby Railroad Company, and to aid in the construction of their road."

House bill No. 826, "An act to validate a bounty land warrant issued to the heirs of William Fishbaugh, deceased."

House bill No. 940, "An act to better protect the papers, records and files in the General Land Office."

Also, that the House had refused to concur in the amendments of the Senate to House bill No. 453, "An act regulating taxation."

Unfinished business, viz., House bill No. 712, "An act granting lands to the International Railroad."

The Senate proceeded to consider the majority report of the committee, recommending a substitute for the bill.

Senator Shelley moved to lay the substitute on the table.

Senator Tracy moved a call of the Senate. Call sustained.

On calling the roll it appeared that the Senate was full.

The question then being on the adoption of the motion offered by Senator Shelley to lay the substitute on the table, the same was put, and the Senate refused to table the substitute by the following vote:

Yeas—Senators Avinger, Ball, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift, and Mr. President—11.

Nays—Senators Baker, Cole, Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick, Tracy and Word—17.

Senator Finlay moved to postpone the further consideration of the bill until Tuesday next.

Senator Tracy moved the previous question. Carried.

The main question was then put, and the Senate refused to postpone by the following vote:

Yeas—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Henry, King, Latimer, Sayers, Shelley, Swift, Word and Mr. President—14.

Nays—Senators Baker, Cole, Ford, Fountain, Franks, Gaines, Hall, Pyle, Rawson, Randle, Ruby, Saylor, Tendick and Tracy—14.

The substitute reported by the committee was then adopted by the following vote:

Yeas—Senators Baker, Cole, Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick, Tracy and Word—17.

Nays—Senators Avinger, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift and Mr. President—10.

The following amendment offered by Senator Word on

yesterday was then adopted: "*Provided*, that the said International Railroad shall, by the proper authority of said corporation, within the time above specified, relinquish all right and claim to any further amount of bonds, or further subsidy for or on account of said road; and *provided, further*, that the said International Railroad shall finish and complete the said railroad to the full extent of its line within the time prescribed by the original charter; and this act shall be a full and final settlement of all matters between the State of Texas and the said corporation as to any subsidy granted by the original charter; and that on failure so to finish and complete said road the said corporation shall forfeit all claim and rights to its charter, and to all rights under said charter."

The following amendment offered by Senator Finlay on yesterday was then adopted, viz: Amend by adding at the end of the first section as follows: "*Provided*, that in no event shall bonds be issued to the International Railroad Company under the act of August 5, 1870, except on the line between Jefferson and San Antonio."

Senator Finlay then moved to amend by striking out section five. Adopted.

Senator Finlay then moved the engrossment of the bill.

The Chair announced that the question was on the passage of the bill to a third reading, and that the motion made by Senator Finlay was out of order.

Senator Finlay then appealed from the decision of the Chair to the Senate.

The Senate refused to sustain the decision of the Chair by the following vote:

Yeas—Senators Avinger, Cole, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift and Word—11.

Nays—Senators Baker, Ball, Ford, Finlay, Fountain, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick and Tracy—15.

The bill was then ordered engrossed by the following vote:

Yeas—Senators Baker, Cole, Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick, Tracy and Word—17.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift and Mr. President—11.

On motion of Senator Tracy, the rules were suspended and the bill read third time.

The question then being the final passage of the bill, the same was put, and the vote stood as follows:

Yeas—Senators Baker, Cole, Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick, Tracy and Word—17.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift and Mr. President—11.

The Chair announced that it required a two-thirds vote to pass the bill.

Senator Tracy appealed from the decision of the Chair to the Senate, and the Senate refused to sustain the decision of the Chair by the following vote:

Yeas—Senators Avinger, Ball, Dillard, Dohoney, Evans, Henry, Latimer, Sayers, Shelley, Swift and Word—11.

Nays—Senators Baker, Ford, Finlay, Fountain, Gaines, Hall, King, Pyle, Rawson, Randle, Ruby, Saylor, Tendick and Tracy—14.

The Chair then announced that the Senate had passed the bill by a majority vote.

On motion of Senator Shelley, House bill No. 453, "An act regulating taxation," was taken up, and the Senate adhered to its amendments.

Senator Shelley then moved the appointment of a conference committee. Carried.

The President appointed the following committee, to-wit: Senators Shelley, Dillard and Henry.

On motion of Senator Gaines the rules were suspended to take up House bill No. 291, "An act to incorporate the Gulf, Colorado and Santa Fé Railway Company." The bill was read second time.

Senator Gaines proposed to amend by adding to section sixteen, line ten, the words "by any general law." Adopted.

Senator Gaines then proposed to amend first section by adding the names of "M. Kopperl and John S. Sellers." Adopted.

Senator Gaines then proposed to amend the caption of the bill by adding after the word "company," the words "and to grant land to aid in the construction of the same." Adopted.

Senator Fountain in the chair.

The bill was then passed to a third reading.

On motion of Senator Gaines the rules were further

suspended, the bill read third time and passed by the following two-thirds vote:

Yeas—Senators Baker, Ball, Dillard, Finlay, Fountain, Gaines, Hall, Henry, King, Rawson, Randle, Ruby, Saylor, Sayers, Shelley, Tendick, Tracy and Word—18.

Nays—Senators Avinger, Cole, Evans, Ford, Franks, Latimer, Pyle and Swift—8.

On motion of Senator Sayers the rules were suspended to take up House bill No. 760, "An act to authorize the holders of State warrants to surrender the same to the Treasurer and receive State bonds for the same."

The bill was read second time and passed to a third reading; rules further suspended, bill read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Ford, Finlay, Fountain, Gaines, Hall, Henry, King, Latimer, Rawson, Sayers, Shelley, Swift, Tendick and Word—20.

Nay—Senator Tracy—1.

On motion of Senator Pyle the rules were suspended to take up House bill No. 178, "An act to authorize the County Court of Navarro County to levy and cause to be collected a special tax, and apply the same." The bill was read second time and passed to a third reading; rules further suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Fountain, Gaines, Hall, Henry, King, Latimer, Pyle, Rawson, Ruby, Sayers, Shelley, Swift, Tendick, Tracy and Word—23.

A message was received from the House informing the Senate that the House had appointed Messrs. Wood, Armstrong and Payne as a committee of conference on the part of the House on the disagreement between the two houses on House bill No. 453, "An act regulating taxation."

On motion of Senator King the rules were suspended to take up House bill No. 837, "An act to incorporate the San Marcos, Guadalupe and Galveston Canal Company."

The bill was read second time.

Senator King offered the following amendment: Amend section one, line six, by inserting after the name "S. Dickson" that of "W. W. Haup," and in line nine, after the name "J. L. Humphries" the names of "Johna-

than Ellison, William H. Jennings and H. North." Strike out in line three the name of "Ed. Burleson." Adopted.

Senator King then offered the following amendment: Amend section eight, line twelve, by inserting after the word "route" the following proviso: "*Provided*, that said company shall obtain, either by written contract or by election, the consent of two-thirds of those possessed of riparian rights to the diversion of water fronts, natural channel, where said diversion would detrimentally affect said rights." Adopted.

Senator King then offered the following amendment: Amend section eleven, by adding at the close of said section the following proviso: "*Provided*, that nothing in this section shall be construed as authorizing said company to demand or receive toll for the passage of any vessel or vessels over any connecting waters of said canal where nature has furnished the required depth of water." Adopted.

The bill then passed to a third reading; rules suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Evans, Ford, Finlay, Fountain, Gaines, Hall, Henry, King, Latimer, Rawson, Sayers, Swift, Tendick, Tracy and Word—21.

On motion of Senator Henry, the rules were suspended to take up House bill No. 888, "An act to amend an act to provide for districting the State of Texas into judicial districts, approved July 1, 1870."

The bill was read second time and passed to a third reading; rules suspended, read third time and passed.

On motion of Senator Shelley, House bill No. 809, "An act providing for the condemnation and sale of land for delinquent taxes," was taken up and made special order for to-morrow at 12 o'clock M., and one hundred copies ordered printed.

On motion of Senator Saylor, the rules were suspended to take up House bill No. 926, "An act providing for an election of officers for the town of Cameron." The bill was read second time.

Senator Saylor moved to amend by filling the blanks with the words "twelfth August, 1873." Adopted.

The rules were further suspended, the bill read third time and passed.

On motion of Senator Tendick, the rules were suspended to take up House bill No. 877, "An act to authorize the County Court of Colorado county to levy a special tax for the erection of a county jail." The bill was read second time.

Senator Tendick offered the following amendment, viz.: Strike out all that relative to poll tax. Adopted.

On motion of Senator Ball, the rules were suspended to take up House bill No. 610, "An act to incorporate the City Bank of Dallas."

The bill was read second time and passed to a third reading; rules further suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dohoney, Evans, Ford, Finlay, Fountain, Gaines, Hall, Henry, King, Latimer, Rawson, Ruby, Saylor, Sayers, Tendick and Tracy—20.

Nay—Senator Word—1.

On motion of Senator Cole, the rules were suspended to take up House bill No. 907, "An act supplementary to and amendatory of an act passed April 19, 1873, entitled an act reorganizing the town of Sherman, in Grayson county, Texas, and incorporate said town as the city of Sherman."

The bill was read second time, and passed to a third reading; rules suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Fountain, Franks, Gaines, Henry, Latimer, Pyle, Rawson, Ruby, Saylor, Swift, Tendick, Tracy and Word—20.

On motion of Senator Swift, the rules were suspended to take up House bill No. 947, "An act to locate the county seat of Trinity county."

The bill was read second time, and passed to a third reading; rules suspended, read third time and passed.

On motion of Senator Avinger, the rules were suspended to take up House bill No. 481, "An act to incorporate the Defiance Hook and Ladder Company No. 1, of the city of Jefferson."

The bill was read second time, and passed to a third reading; rules suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Ball, Evans, Ford,

Finlay, Fountain, Franks, Gaines, Henry, King, Latimer, Rawson, Ruby, Saylor, Sayers, Swift, Tendick, Tracy and Word—20.

On motion of Senator Tracy the rules were suspended to take up House bill No. 890, "An act granting the right of way to the United States of America for the construction of a coastwise canal along the coast of Texas, through the inland waters and mainland thereof."

The bill was read second time.

Senator Franks moved to adjourn to 9 o'clock A. M. to-morrow. Lost by the following vote:

Yeas—Senators Ford, Franks, Hall and Rawson—4.

Nays—Senators Avinger, Baker, Ball, Dohoney, Evans, Finlay, Fountain, Gaines, Henry, King, Latimer, Pyle, Ruby, Saylor, Sayers, Tendick, Tracy and Word—18.

The bill then passed to third reading; rules further suspended, the bill read third time and passed by the following vote:

Yeas—Senators Avinger, Baker, Dillard, Dohoney, Finlay, Fountain, Gaines, King, Latimer, Pyle, Ruby, Saylor, Sayers, Swift, Tendick and Tracy—18.

Nays—Senators Evans, Franks and Word—3.

Senator Gaines moved to reconsider the vote taken on the passage of House bill No. 291 "An act to incorporate the Gulf, Colorado and Santa Fé Railway Company," and to lay that motion on the table.

Senator Franks moved to adjourn to 9 o'clock A. M. to-morrow.

Lost by the following vote:

Yeas—Senators Ball, Cole, Evans, Ford, Franks, Gaines, Hall, Latimer, Pyle, Rawson, and Swift—11.

Nays—Senators Avinger, Baker, Dillard, Dohoney, Finlay, Fountain, Henry, King, Ruby, Saylor, Sayers, Tendick, Tracy and Word—14.

Senator Franks moved a call of the Senate. Call sustained.

Absent—Senators Randle and Shelley.

Senator Dohoney moved to adjourn to 8 o'clock P. M.

Senator Hall moved to adjourn to 9 o'clock A. M. to-morrow. Lost.

The question recurring on the adoption of the motion of Senator Dohoney to adjourn to 8 o'clock P. M., the same was put and lost by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Henry, Swift, and Word—9.

Nays—Senators Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Latimer, Pyle, Rawson, Ruby, Saylor, Sayers, Tendick, Tracy and Mr. President—16.

A message was received from the House informing the Senate that the House had concurred in Senate amendments to House bill No. 766, "An act to incorporate the Paris, Greenville and Cleburne Railway Company."

On motion of Senator Finlay, the rules were suspended to take up House bill No. 906, "An act to incorporate the Brazos Santiago and Rio Grande Canal Company."

The bill was read second time and passed to third reading; rules suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Fountain, Franks, Gaines, Hall, Henry, King, Latimer, Ruby, Saylor, Sayers, Swift, Tendick and Tracy—20.

Nay—Senator Word—1.

On motion of Senator Evans, the rules were suspended to take up House bill No. 892, "An act to incorporate the town of McKinney, in Collin county." The bill was read second time and passed to a third reading; rules further suspended, read third time and passed.

On motion of Senator Dohoney, the rules were suspended to take up House bill No. 905, "An act to incorporate the Gainesville, Bonham and Oklahoma Railroad Company."

Senator Franks moved to adjourn to 9 o'clock A. M. to-morrow. Lost by the following vote:

Yeas—Senators Ford, Franks, Hall, Latimer, Pyle, Rawson, Saylor, Swift, Tendick, Tracy and Mr. President—11.

Nays—Senators Avinger, Ball, Dillard, Dohoney, Evans, Finlay, Fountain, Gaines, Henry, King, Ruby, Sayers and Word—13.

Senator Tracy then moved to postpone the consideration of the bill just called up by Senator Dohoney, until Tuesday next at 11 o'clock. Lost by the following vote:

Yeas—Senators Ford, Hall, Rawson and Tracy—4.

Nays—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Finlay, Fountain, Gaines, Henry, King, Ruby, Saylor, Sayers, Swift, Tendick and Word—17.

On motion of Senator Hall, the Senate adjourned to 9 o'clock A. M., to-morrow.